

## **Relationship between Elected and Appointed Boards, Department Heads, and the Town Manager**

The Charter Commission is making various recommendations in the proposed Charter to establish a more centralized authority and responsibility in the day-to-day operation of the Town. To that end, the Commission proposes to delineate in the Draft Charter Proposal an operational relationship and respective authority between the Town Manager, department heads, and multiple member bodies (boards, commissions and committees).

The Town Manager will appoint all department heads with the exception of the Electric Department General Manager and the Superintendent of Schools. The Town Manager will appoint all members of all appointed town boards, committees and commissions, except those serving as sub-committees to the Town Council, but subject to the confirmation of the Town Council.

The Town Manager will have day-to-day supervisory authority with respect to such personnel, including, for example, authority to ensure that persons are working their set hours, that offices are open for the required number of hours, that personnel comply with other policies of general application such as use of computers and technology, non-discrimination and harassment, proper use of sick and vacation time, and so forth. The substantive matters over which a board or committee has jurisdiction would not, however, fall within the Town Manager's authority under the Charter. Thus, for example, the Conservation Agent would still take direction from the Conservation Commission with respect to wetlands protection; the Health Agent would still take direction from the Board of Health with respect to health regulations, and so forth.

The benefits of this type of management system are multifold. Such a system ensures that all personnel are treated alike and held to the same standards with respect to work-place issues, reducing friction between employees of different departments.

Further, the employee knows who to go to for assistance with workplace-related matters or problems, and further ensures that matters concerning employment are handled by professionals that are trained for such purposes.

Similarly, this type of approach ensures that the multiple-member boards and committees have the support of the administration with respect to personnel matters, which, in turn, allows such bodies to more appropriately focus on the broad policy matters, and in some cases, quasi-judicatory matters, assigned to them under the General Laws. It also avoids the potential for liability that can arise from the mishandling of personnel matters, both directly by ensuring that such matters are handled in a consistent manner with the benefit of up-to-date understanding of this ever-changing area of law, and indirectly by avoiding potential Open Meeting, Conflict of Interest, and Public Records Law issues.